

REMARKS

Summary of the Office Action

Claims 1-31 are considered in the Office action.

Claims 5-7 has been rejected under 35 U.S.C. § 112, second paragraph, because of lack of proper antecedent basis.

Claims 1-31 have been rejected under 35 U.S.C. § 102(e) as anticipated by Chasen U.S. Patent No. 6,628,829 (“Chasen”).

Summary of the Reply

Applicant has amended claims 1, 5-7, 12, 18 and 22 to correct typographical errors and more particularly describe and distinctly claim the invention. Applicant also submits herewith a Rule 131 declaration to overcome the § 102(e) rejections.

Reply to § 112, second paragraph Rejections

Claims 5-7 has been rejected under § 112, second paragraph, because of lack of proper antecedent basis. Applicant has amended claims 5-7, and respectfully submits that the § 112, second paragraph, rejections are moot.

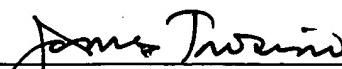
Reply to § 102(e) Rejections

Claims 1-31 have been rejected under §102(e) as anticipated by Chasen. Chasen issued on September 30, 2003, based on an application filed on August 8, 2000. Applicant submits herewith the Rule 131 Declaration of John Steinberg (“Steinberg Decl.”) to overcome the § 102(e) rejections based on Chasen. In particular, applicant conceived the invention claimed in this application well before August 8, 2000. Steinberg Decl. ¶4. Further, applicant reduced the invention to practice on or before August 15, 2000. Steinberg Decl. ¶4. Because applicant conceived the invention prior to August 8, 2000, and diligently completed his invention no later than August 15, 2000, Chasen is not prior art to applicant’s invention. See 37 C.F.R. § 1.131(b); MPEP 715. Accordingly, applicant respectfully requests that the §102(e) rejections of claims 1-31 be withdrawn.

Conclusion

For the reasons stated above, applicant submits that this application, including claims 1-31, is allowable. Applicant therefore respectfully requests that the Examiner allow this application.

Respectfully submitted,



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